

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE **92-20, AS AMENDED**, EXCEPT FOR ARTICLES 10 AND 16; ADOPTING A NEW UNIFIED LAND DEVELOPMENT CODE. **ARTICLE 1** – GENERAL PROVISIONS; CHAPTER A – AUTHORITY; CHAPTER B – INTERPRETATION OF THE CODE; CHAPTER C – RULES OF CONSTRUCTION & MEASUREMENT; CHAPTER D – IMPLEMENTATION; CHAPTER E – PRIOR APPROVALS; CHAPTER F – NONCONFORMITIES; CHAPTER G – EMINENT DOMAIN; CHAPTER H – LOT OF RECORD; **ARTICLE 2** – DEVELOPMENT REVIEW PROCEDURES; CHAPTER A – GENERAL; CHAPTER B – PUBLIC HEARING PROCEDURES; CHAPTER C – FUTURE LAND USE ATLAS PLAN AMENDMENTS; CHAPTER D – ADMINISTRATIVE PROCESSES; CHAPTER E – MONITORING; CHAPTER F – CONCURRENCY (ADEQUATE PUBLIC FACILITY STANDARDS); **ARTICLE 3** – OVERLAYS AND ZONING DISTRICTS; CHAPTER A – GENERAL; CHAPTER B – OVERLAYS; CHAPTER C – STANDARD DISTRICTS; CHAPTER D – PROPERTY DEVELOPMENT REGULATIONS; CHAPTER E – PLANNED DEVELOPMENT DISTRICTS; CHAPTER F – TRADITIONAL DEVELOPMENT DISTRICTS; **ARTICLE 4** – USE REGULATIONS; CHAPTER A – USE CLASSIFICATION; CHAPTER B – SUPPLEMENTARY USE STANDARDS; CHAPTER C – COMMUNICATION TOWER, COMMERCIAL; CHAPTER D – EXCAVATION; **ARTICLE 5** – SUPPLEMENTARY STANDARDS; CHAPTER A – GENERAL; CHAPTER B – ACCESSORY & TEMPORARY USES; CHAPTER C – DESIGN STANDARDS; CHAPTER D – PARKS AND RECREATION— RULES AND RECREATION STANDARDS; CHAPTER E – PERFORMANCE STANDARDS; CHAPTER F – LEGAL DOCUMENTS; CHAPTER G – DENSITY BONUS PROGRAMS; **ARTICLE 6** – PARKING; CHAPTER A – PARKING; CHAPTER B – LOADING STANDARDS; CHAPTER C – DRIVEWAYS AND ACCESS; **ARTICLE 7** – LANDSCAPING; CHAPTER A – GENERAL; CHAPTER B – TYPES OF PLANS; CHAPTER C – MANAGED GROWTH TIER SYSTEM TIER COMPLIANCE; CHAPTER D – GENERAL STANDARDS; CHAPTER E – INSTALLATION, MAINTENANCE, PRUNING AND IRRIGATION; CHAPTER F – PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G – OFF-STREET PARKING REQUIREMENTS; CHAPTER H – ENFORCEMENT; **ARTICLE 8** – SIGNAGE; CHAPTER A – GENERAL; CHAPTER B – EXEMPTIONS; CHAPTER C – PROHIBITIONS; CHAPTER D – TEMPORARY SIGNS REQUIRING SPECIAL PERMIT; CHAPTER E – PROCEDURES FOR SIGNAGE; CHAPTER F – GENERAL PROVISIONS FOR ALL SIGN TYPES; CHAPTER G – STANDARDS FOR SPECIFIC SIGN TYPES; CHAPTER H – OFF-SITE SIGNS; CHAPTER I – ADMINISTRATION AND ENFORCEMENT; **ARTICLE 9** – ARCHEOLOGICAL AND HISTORICAL PRESERVATION; CHAPTER A – ARCHEOLOGICAL RESOURCES PROTECTION; CHAPTER B – HISTORIC PRESERVATION PROCEDURES; **ARTICLE 10** – CODE ENFORCEMENT; CHAPTER A – GENERAL; CHAPTER B – ENFORCEMENT BY CODE ENFORCEMENT SPECIAL MASTERS; CHAPTER C – GROUNDWATER AND NATURAL RESOURCES PROTECTION BOARD; CHAPTER D – ENVIRONMENTAL CONTROL HEARING BOARD; CHAPTER E – REMEDIES; **ARTICLE 11** – SUBDIVISION; CHAPTER A – GENERAL REQUIREMENTS; CHAPTER B – SUBDIVISION REQUIREMENTS; CHAPTER C – RURAL SUBDIVISIONS; CHAPTER D – PLATTING; CHAPTER E – REQUIRED IMPROVEMENTS; CHAPTER F – VARIANCES; **ARTICLE 12** – TRAFFIC PERFORMANCE STANDARDS; CHAPTER A – GENERAL;

1 CHAPTER B – STANDARD; CHAPTER C – TRAFFIC IMPACT
2 STUDIES; CHAPTER D – MODELING OF TRIPS; CHAPTER E –
3 PROCEDURE; CHAPTER F – ENTITLEMENT; CHAPTER G –
4 APPEALS; CHAPTER H – AFFORDABLE HOUSING; CHAPTER I –
5 CONSTRAINED FACILITIES; CHAPTER J – COASTAL RESIDENTIAL
6 EXCEPTION; CHAPTER K – TRANSPORTATION CONCURRENCY
7 MANAGEMENT AREAS; CHAPTER L – TRANSPORTATION
8 CONCURRENCY EXCEPTIONS AREAS; CHAPTER M –
9 TRANSPORTATION CONCURRENCY EXEMPTION FOR PROJECTS
10 THAT PROMOTE PUBLIC TRANSPORTATION; CHAPTER N – FIVE-
11 YEAR ROAD PROGRAM; CHAPTER O – METHOD OF PRIORITIZING
12 THOROUGHFARE IMPROVEMENTS; CHAPTER P – PROJECT
13 AGGREGATION; **ARTICLE 14** – ENVIRONMENTAL STANDARDS;
14 CHAPTER A – SEA TURTLE PROTECTION AND SAND
15 PRESERVATION; CHAPTER B – WELLFIELD PROTECTION;
16 CHAPTER C – VEGETATION PRESERVATION AND PROTECTION;
17 CHAPTER D – PROHIBITED INVASIVE NON-NATIVE VEGETATION
18 REMOVAL ORDINANCE; **ARTICLE 16** – AIRPORT REGULATIONS;
19 CHAPTER A – GENERAL; CHAPTER B – AIRSPACE HEIGHT
20 REGULATIONS; CHAPTER C – AIRPORT LAND USE REGULATIONS;
21 **ARTICLE 17** – DECISION MAKING BODIES; CHAPTER A – BOARD
22 OF COUNTY COMMISSIONERS; CHAPTER B – GENERAL
23 PROVISIONS; CHAPTER C – APPOINTED BODIES; CHAPTER D –
24 STAFF OFFICIALS; AND **ARTICLE 18** – DEFINITIONS; CHAPTER A –
25 ZONING DEFINITIONS AND ACRONYMS; PROVIDING FOR REPEAL
26 OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY;
27 PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR CAPTIONS;
28 AND PROVIDING FOR AN EFFECTIVE DATE.

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31 **WHEREAS**, Section 163.3202, Florida Statutes, mandates the County
32 compile Land Development Regulations consistent with its Comprehensive Plan
33 into a single Land Development Code; and

34 **WHEREAS**, pursuant to this statute the Palm Beach County Board of County
35 Commissioners (BCC) adopted the Unified Land Development Code, Ordinance 92-
36 20, as amended from time to time; and

37 **WHEREAS**, the BCC desires to further amend, consolidate, reorganize, and
38 recodify the Unified Land Development Code and to replace it with a newly codified
39 Unified Land Development Code; and

40 **WHEREAS**, the Unified Land Development Code as amended, consolidated,
41 reordered and recodified has been found consistent with the Palm Beach County
42 Comprehensive Plan by the Land Development Regulation Commission; and

43 **WHEREAS**, the County has received extensive public participation and input
44 regarding the Code through the Citizen's Task Force; and

45 **WHEREAS**, the Board of County Commissioners hereby elects to conduct its
46 public hearings on this Ordinance at 9:30 a.m.; and

1 **WHEREAS**, public hearings have been held by the Board of Palm Beach
2 County Commissioners consistent with the requirements set forth in Section 125.66,
3 Florida Statutes.

4 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
5 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:**

6 **Part I. Adoption of the Unified Land Development Code**

7 The original Unified Land Development Code of Palm Beach County, as
8 adopted in Ordinance 92-20 and amended from time to time, is hereby repealed,
9 except for Article 10, Impact Fees, and Article 16, Health Regulations; and the new
10 Unified Land Development Code, consisting of eighteen (18) articles, which
11 amends, consolidates, reorders and recodifies provisions of the original Unified
12 Land Development Code, including changes made to the adoption draft of this
13 Ordinance at the Public Hearing, is hereby adopted as set forth in Exhibit 1,
14 attached hereto and made a part hereof.

15 **Part II. Providing for Repeal of Laws in Conflict**

16 All local laws and ordinances in conflict with any provisions of this Ordinance
17 are hereby repealed to the extent of such conflict, except for Article 10, Impact
18 Fees, and Article 16, Health Regulations, as adopted in Ordinance 92-20, and
19 amended from time to time.

20 **Part III. Severability**

21 If any section, paragraph, sentence, clause, phrase, word, map, diagram, or
22 any other item contained in this Ordinance is for any reason held by the Court to be
23 unconstitutional, inoperative, void, or otherwise invalid, such holding shall not affect
24 the remainder of this Ordinance.

25 **Part IV. Providing for a Savings Clause**

26 All development orders, permits, enforcement orders, ongoing enforcement
27 actions, and all other actions of the Board of County Commissioners, the Zoning
28 Commission, the Development Review Committee, Enforcement Boards, all other
29 County decision-making and advisory boards, Special Masters, Hearing Officers,
30 and all other County Officials, issued pursuant to the procedures established by
31 prior Palm Beach County land development regulations, shall remain in full force
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1 and effect. Each individual appointed to a decision-making body, or as a Special
2 Master, pursuant to the procedures set forth in prior Palm Beach County land
3 development regulations, and now codified in Article 17.C. (Exhibit 1) by operation
4 of this Ordinance, shall serve for the remainder of his or her term; except for
5 members of the Citizens Task Force and the Impact Fee Review Committee, whose
6 terms will conclude upon the effective date of this Ordinance.

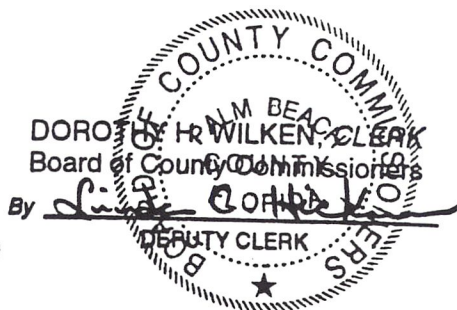
7 **Part V. Captions**
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9 All headings of articles, sections, paragraphs, and sub-paragraphs used in
10 this Ordinance are intended for the convenience of usage only and have no effect
11 on the interpretations of the provisions of this Ordinance and may be renumbered or
12 relettered to effectuate the codification of this Ordinance.

13 **Part VI. Providing for an Effective Date**

14 The provisions of this Ordinance shall become effective upon filing with the
15 Department of State.

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17 APPROVED and ADOPTED by the Board of County Commissioners of Palm
18 Beach County, Florida, on this the 4 day of December, 2003.



PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

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By: [Signature]
Karen T. Marcus, Chair

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APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: [Signature]
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 12 day of
December, 2003.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 4, 2003
DATED at West Palm Beach, FL on 1/5/04
DOROTHY H. WILKEN, Clerk
4 By: [Signature] D.C.